

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

Commodity Futures Trading Commission, States

*Plaintiff*

v.

TMTE, Inc. a/k/a metals.com, et al.

*Defendant*

Civil Action No.

**3-20CV2910-1**

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Lucas Thomas Erb a/k/a Lucas Asher a/k/a Luke Asher  
8383 Wilshire BLVD, Suite 700  
Beverly Hills, CA 90211

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

JonMarc Buffa  
Commodity Futures Trading Commission  
1155 21st Street, NW  
Washington, DC 20581

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT



*Signature of Clerk or Deputy Clerk*

SEP 22 2020

Date: \_\_\_\_\_

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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Lucas Thomas Erb aka  
was received by me on (date) 9/24/20 . Lucas Asher aka Luke  
Asher

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
on (date) \_\_\_\_\_ ; or

☒ I left the summons at the individual's residence or usual place of abode with (name) John Schaefer, Jr.  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) 9/26/20 , and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of (name of organization) \_\_\_\_\_  
on (date) \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 9/28/20

Kelly Crawford  
\_\_\_\_\_  
Server's signature  
Kelly Crawford, Receiver  
\_\_\_\_\_  
Printed name and title

500 North Akard, Suite 2700  
\_\_\_\_\_  
Server's address

Additional information regarding attempted service, etc: Dallas, Texas 75201